

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

MICHAEL M. FRASER, as an individual
and on behalf of all others similarly
situated,

Plaintiff,

v.

GENESCO, INC., a Tennessee
corporation, d/b/a JOHNSTON &
MURPHY,

Defendant.

Case No. 2:11-cv-00598-MCE-JFM

**STIPULATED ORDER GRANTING JOINT
MOTION FOR ORDER TO STAY ALL
PROCEEDINGS PENDING A DECISION
ON TRANSFER AND COORDINATION
BY THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

Ctrm: 7
Judge: Hon. Morrison C. England, Jr.

Complaint Filed: March 3, 2011
Trial Date: Not Set

1 Presently before the Court is Plaintiff Michael Fraser's ("Plaintiff") and Defendant
 2 Genesco, Inc.'s ("Genesco") (collectively "the Parties") joint motion for an order to stay this case
 3 pending the Judicial Panel on Multidistrict Litigation's ("JPML") decision on the motion to
 4 transfer and coordinate (*In re: Genesco, Inc., California Song-Beverly Credit Card Act Litigation*,
 5 MDL No. 2259) filed by Frank Pabst, the plaintiff in a separate action against Genesco pending in
 6 the Northern District of California.

7 Having considered the papers submitted in support of the Parties' joint motion, as well as
 8 admissible evidence and the applicable law, the Court, for good cause shown, hereby **GRANTS**
 9 the Parties' Motion (ECF No. 15).

10 **IT IS FURTHER ORDERED THAT** all proceedings in this case are stayed immediately
 11 and until such time as the JPML issues its decision on Pabst's motion to transfer and coordinate
 12 and determines whether this case will be transferred to MDL No. 2259 and consolidated.

13 Defendant's Motion to Dismiss, currently scheduled to be heard before this Court on
 14 August 25, 2011, at 2:00 p.m. in Courtroom 7 is denied without prejudice to re-filing at an
 15 appropriate date after either the JPML issues its decision and/or the stay in this action is lifted.

16 **IT IS SO ORDERED.**

17 DATE: June 29, 2011

18 
 19 MORRISON C. ENGLAND, JR.
 20 UNITED STATES DISTRICT JUDGE